

REMARKS

In the Office Action mailed on March 5, 2007, the pending claims were subjected to a restriction requirement and an election of species requirement under 35 U.S.C. §121. Pursuant to applicants' prior response, the election of species requirements I-h, I-i, and I-j were withdrawn and applicants' election with respect to class I-f was objected to.

Applicants previously elected claims 1-29 and 52-88 with respect to the restriction requirement, and with respect to the election of species requirement I-f, applicants' elected the species of bridged metallocenophane (dialkylsila-1-ferrocenophanes) and metal-containing crosslinker (cyclobutylsila-1-ferrocenophane) (claim 13). In the present Office Action, the Examiner has indicated that bridged metallocenophanes are to be considered a genus rather than a species.

By way of this response, the prior election is amended in view of this observation as well as to accommodate the withdrawal of requirements I-h, I-i, and I-j. Applicants' thus make the following species elections with traverse:

With respect to Class I-a (the first constituent), applicants elect the species of Silica (claims 20, 83);

With respect to Class I-b (the metal atom) applicants elect the species of iron (claim 2);

With respect to Class I-c (the linking unit) applicants elect the species of substituted or unsubstituted carbanions (claim 6);

With respect to Class I-d (the side units) applicants elect the species of substituted or unsubstituted carbanions (claim 7);

With respect to Class I-e (the crosslinks) applicants elect the species of chemical bonds (claim 8);

With respect to Class I-f (the metal containing monomer) applicants elect the species of dialkylsila-1-ferrocenophanes (claim 13);

With respect to Class I-g (the substrate) applicants elect the species of metals (claims 23, 77);

With respect to Class I-h (the additive) applicants elect the species of dyes (claim 73).

It is again respectfully submitted that the Office has not complied with MPEP §809.02 in several respects. For example, §809.02 requires that the action “identify each (or ... at least exemplary ones) of the disclosed species, to which claims are to be restricted.” The present action does not identify the species from which election is to be made, but rather identifies only the concept said to encompass each species.

In responding to the election requirement, applicants have identified the claims that recite the indicated species. Other claims may be generic and/or encompass the elected species. Applicants understand that they will be entitled to consideration of claim coverage of additional species at such time as a generic claim is allowed.

Conclusion

Applicants respectfully submit that the present application is now in condition for allowance. If, in the opinion of the Examiner, a further telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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